

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU Investments, LLC d/b/a Brazos
Licensing and Development,

Plaintiff,

v.

Canon Inc.,

Defendant.

Case No. 6:20-cv-00980-ADA
Case No. 6:20-cv-00981-ADA
JURY TRIAL DEMANDED

Canon Inc.,

Third-Party Plaintiff,

v.

NXP USA, Inc.,

Third-Party Defendant.

Case No. 6:20-cv-00980-ADA
JURY TRIAL DEMANDED

STATUS REPORT RE: INTER-DISTRICT MOTION TO TRANSFER

Pursuant to the Court's August 18, 2021 Second Amended Standing Order Regarding Motions for Inter-District Transfer, Defendant Canon Inc. ("Canon") hereby notifies the Court that its motion to transfer of the above-captioned Case No. 6:20-cv-00981-ADA to the Eastern District of New York has not yet been fully briefed and is not ready for resolution. The *Markman* hearing is currently scheduled for November 5, 2021. *See* Case 6:20-cv-00980, Dkt. No. 45; Case 6:20-cv-00981, Dkt. No. 34.

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development ("WSOU") has represented that it is seeking venue and jurisdictional discovery in the above-captioned Case No. 6:20-cv-00981-ADA via email on October 4, 2021. WSOU served its First Set of

Interrogatories, First Requests for Production and Rule 30(b)(6) Notice of Deposition of Canon Inc. concerning venue discovery dated October 6, 2021.

WSOU further advised that it will be amending its complaint to add Canon U.S.A., Inc. as a party to both the above cases. Venue as to Canon U.S.A., Inc. is not proper in this District and we expect that WSOU's amended complaint will raise additional statutory and convenience venue issues.

Dated: October 8, 2021

Respectfully Submitted,

/s/ Richard F. Martinelli

Richard F. Martinelli (*pro hac vice*)

rmartinelli@orrick.com

Joseph A. Calvaruso (*pro hac vice*)

jcalvaruso@orrick.com

ORRICK, HERRINGTON & SUTCLIFFE LLP

51 West 52nd Street

New York, NY 10019-6142

Tel: (212) 506-5000

Fax: (212) 506-5151

John M. Jackson (Texas Bar No. 24002340)

jjackson@jw.com

JACKSON WALKER, LLP

2323 Ross Avenue, Suite 600

Dallas, TX 75201

Tel: (214) 953-6000

Fax: (214) 953-5822

Attorneys for Defendant Canon Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically on October 8, 2021 in compliance with CV-5 and has been served on all counsel who have consented to electronic service and all other counsel by regular mail.

/s/ John M. Jackson

John M. Jackson